

REMARKS

I. Introduction

Claim 7 is pending in the present application. In view of the following remarks, it is respectfully submitted that claim 7 is allowable, and reconsideration is respectfully requested.

II. Rejection of Claim 7 Under 35 U.S.C. § 103(a)

Claim 7 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 4,245,789 ("Gray"), U.S. Patent No. 5,732,888 ("Maier et al."), and U.S. Patent No. 2004/0000429 ("Furusawa et al."). It is respectfully submitted that the combination of Gray, Maier et al., and Furusawa et al. does not render unpatentable claim 7 for at least the following reasons.

The present application has an international filing date of July 2, 2003 and claims priority to German Patent Application No. 102 56 662.3, which was filed on December 4, 2002. A claim of priority to German Patent Application No. 102 56 662.3 was made, for example, in the "Combined Declaration and Power of Attorney for Patent Application" filed on April 14, 2005. The priority claim has been acknowledged by the Office, for example, in the Corrected Filing Receipt, dated September 22, 2006. The Office has acknowledged receipt of the priority document, as indicated in the "Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495" dated September 28, 2005, and receipt of the priority document is reflected in the Office's PAIR system (see also, Amendment submitted on October 13, 2006). A certified English-language translation of German Patent Application No. 102 56 662.3 is submitted herewith.

Furusawa et al. has a U.S. filing date of April 16, 2003, which is after the December 4, 2002 priority date of the present application. Thus, Furusawa et al. does not constitute prior art with respect to the present application.

Regarding Gray and Meier et al., Applicants traverse the present rejection for at least the same reasons set forth in the Appeal Brief submitted on November 25, 2008.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

III. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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